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MILLENNIUM ELECTRONICS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EVERFLOW TECHNOLOGY
CORPORATION, incorporated under the
laws of the Republic of China (Taiwan),

Plaintiff,

v.

MILLENNIUM ELECTRONICS, INC., a
California corporation,

Defendant.

Case No. C07-05795 JF

**DEFENDANT MILLENNIUM
ELECTRONICS, INC.'S CASE
MANAGEMENT STATEMENT**

Date: July 18, 2008
Courtroom: 3, Fifth Floor SJ
Time: 10:30 a.m.

Judge: Jeremy Fogel

Defendant Millennium Electronics, Inc. ("**Millennium**") hereby submits this Case Management Statement. Millennium incorporates by reference the information contained in the parties' previous Joint Case Management Statement dated February 29, 2008 [Document 22], including their discussion of (1) jurisdiction, venue and parties; (2) description of the case; (3) disputed facts; (4) legal issues; (5) motions; (6) amendment of pleadings; (7) disclosures; (8) other references; (9) narrowing of issues; (10) expedited schedule; and (11) disclosure of non-party interested entities or persons. Millennium

hereby advises the Court regarding developments in this case since the last Case Management Conference.

The parties have been mediating their dispute with Daniel Bowling of the ADR Program Office. Numerous teleconferences have been held and considerable progress has been made towards the resolution of this lawsuit. The parties have a further teleconference with Mr. Bowling set for July 16, 2008 at 3:30 p.m.

As a result of these telephone conferences, the parties have discussed a settlement framework that appears acceptable to both sides. One significant issue remains to be resolved and it involves a reconciliation of discrepancies between the parties' respective records. To that end, on July 14, 2008, Plaintiff's counsel provided Millennium's counsel with a spreadsheet analyzing the discrepancies.

The parties previously indicated that this case would be ready for trial by jury by October 1, 2008. In light of the progress made in mediation and in furtherance of those discussions, Millennium requests that the trial be set at such mutually-convenient time to allow for the completion of mediation with Mr. Bowling. Should this Court wish to contact Mr. Bowling directly and to the extent the consent of the parties is required for any such communications, Millennium hereby consents.

The electronic filer attests that the individual whose name appears below has signed this document. See N.D. Cal. General Order 45, Section X.

Dated: July 16, 2008

STRUCTURE LAW GROUP, LLP

By: / s /

Mark R. Figueiredo
Attorneys for Defendant
MILLENNIUM ELECTRONICS, INC.